

10-27-04

JEFW



10/632,314

October 22, 2004

United States Patent and Trademark Office
Examiner: Anthony H. Winner
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Mr Winner:

In regards to the Notification of Non-Compliance dated October 12, 2004 please find the enclosed a new brief with one original as in pursuant to the rule 41.37.

Also please find enclosed a copy of your correspondence.

Respectfully,

William R. Cole

William R. Cole

Inventor

8760 S. C.R. 825 E

Plainfield, IN 46168

Application No. 10/632,314



Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal service with sufficient postage as first class mail in an envelope addressed to:

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Attn: Tony Winner

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on 10/26/04

Typed or printed name of person signing this certificate:

CAROL A. WHEASLER

Signature: Carol A. Wheasler



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/632,314

08/01/2003

William R. Cole

7511

32232

7590

10/18/2004

WILLIAM R. COLE

8760 S. C.R. 825 E.

PLAINFIELD, IN 46168



EXAMINER

WINNER, TONY H

ART UNIT

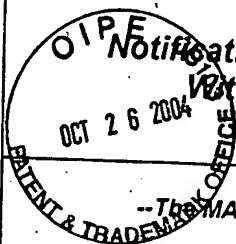
PAPER NUMBER

3611

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

BEST AVAILABLE COPY



Notification of Non-Compliance
with 37 CFR 1.192(c)

Application No.

10/632,314

Applicant(s)

COLE, WILLIAM R.

Examiner

Tony H. Winner

Art Unit

3611

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--


The Appeal Brief filed on 9/02/04 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPLICATE a complete new brief in compliance with 37 CFR 1.192(c) within the longest of any of the following three **TIME PERIODS**: (1) **ONE MONTH** or **THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. **EXTENSIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. ☐ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. ☐ The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. ☐ A single ground of rejection has been applied to two or more claims in this application, and
 - (a) ☐ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
 - (b) ☐ the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. ☐ The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. ☒ Other (including any explanation in support of the above items):

MPEP 608.01 states that the specification should not contain any drawings or pictures as illustrated on page 1 of the applicant's instant application.

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TONY WINNER
PATENT EXAMINER

10/12/04